

THE HONORABLE ROBERT S. LASNIK

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KRISTINA CHETWOOD, and SANDRA
CASTELLON-GONZALEZ, individually,
and on behalf of others similarly situated,

Plaintiffs,

v.

T- MOBILE USA, INC.

Defendant.

No. 2:19-cv-00458-RSL

DECLARATION OF
PATRICK M. MADDEN

I, Patrick M. Madden, hereby state and declare:

1. I am a partner in the law firm of K&L Gates LLP and counsel for Defendant T-Mobile USA, Inc. in the above-captioned matter. I have knowledge of the facts set forth in this declaration and am competent to testify thereto.

2. Attached hereto as **Exhibits 1 to 61** are true and correct copies of declarations from employees who work at T-Mobile call centers. The table below identifies each declarant by exhibit number, name, and call center location:

Exhibit No.	Declarant Name	Call Center Location
1.	Anthony, Kayla	Augusta, GA
2.	Archibald, Michael	Meridian, ID

1	3.	Baker, Mary	Springfield, MO
2	4.	Boyce, Rebecca	Oakland, ME
3	5.	Bruner, Shawn	Salem, OR
4	6.	Cavazos, Humberto	Mission, TX
5	7.	Chandnoit, Connie Elizabeth	Meridian, ID
6	8.	Collins, Vanessa	Springfield, MO
7	9.	Corley, Victor	Augusta, GA
8	10.	Eaton, Jason	Springfield, MO
9	11.	Edwards, Amanda Lea	Meridian, ID
10	12.	Elston, Ebony	Tampa, FL
11	13.	Evans, James	Oakland, ME
12	14.	Feliz, Jhairol	Tampa, FL
13	15.	Fischer, Angela	Wichita, KS
14	16.	Fuentes, Anna	Springfield, MO
15	17.	Gallant, Courtney	Oakland, ME
16	18.	Giles, Demetrius	Tampa, FL
17	19.	Gillespie, Steve	Tampa, FL
18	20.	Griffith, Ryan	Oakland, ME
19	21.	Guffey, Charles	Albuquerque, NM
20	22.	Hampton, Amy	Colorado Springs, CO
21	23.	Harmon, Eric	Augusta, GA
22	24.	Henderson, Fay	Springfield, MO
23	25.	Ingram, Deborah	Augusta, GA
24	26.	Jackson, Erica	Tampa, FL
25	27.	Jackwin, Miranda	Oakland, ME
26			

1	28.	James, Brianna	Augusta, GA
2	29.	Jenkins, Lauren Alexandria	Meridian, ID
3	30.	Jenkins, Tara	Tampa, FL
4	31.	Jensen, Hanna	Meridian, ID
5	32.	Kelly, Molly	Springfield, MO
6	33.	King, Janae	Tampa, FL
7	34.	Lawson, James	Springfield, MO
8	35.	Levesque, Ethan	Oakland, ME
9	36.	McKeage, Jessica	Oakland, ME
10	37.	McKenney, Michael	Oakland, ME
11	38.	Minter, Kristen	Meridian, ID
12	39.	Moore, Tiffany	Augusta, GA
13	40.	Nunez, Tara Leigh	Tampa, FL
14	41.	Nunn, Dustin	Springfield, MO
15	42.	Perez, Siuris	Augusta, GA
16	43.	Pierce, Stephonte	Augusta, GA
17	44.	Pressley, Shereka	Tampa, FL
18	45.	Rasmussen, Nicole	Albuquerque, NM
19	46.	Rice, Crystal	Chattanooga, TN
20	47.	Rodriguez, Maira	Meridian, ID
21	48.	Rogers, Jessica	Springfield, MO
22	49.	Roth, Terry Elizabeth	Meridian, ID
23	50.	Sanborn, Elke	Bellevue, WA
24	51.	Shanik, Steven	Tampa, FL
25	52.	Smith, Codey	Bellingham, WA
26			

53.	Stevenson, Steven	Richmond, VA
54.	Stone, Amber Nicole	Meridian, ID
55.	Swint, Bernard	Charleston, SC
56.	Thomas, Jacquetta	Tampa, FL
57.	Walters, Stacie	Springfield, MO
58.	Watson, Stephen	Augusta, GA
59.	Weaver, Daniel	Springfield, MO
60.	Wildridge, Derrick Anthony	Meridian, ID
61.	Young, Casey	Oakland, ME

3. In light of the voluminous declaration materials attached hereto as exhibits, I have created an index of some of the topics and factual statements that are addressed in the declarations. Listed after each topic are specific references to declarations (by name) that identify where that topic is addressed (in whole or in part) in the referenced declaration and, at times, a parenthetical providing a quote or brief summary of the information in that declaration. This summary and reference chart is provided for purposes of assisting the Court in its task of managing the massive amount of factual information contained in the declarations and is permitted as a “pedagogical” device and “summary tool[] to clarify complex testimony and evidence.” *United States v. McElroy*, 587 F.3d 73, 80-82 (1st Cir. 2009) (affirming decision to admit summaries and discussing application of Federal Rules of Evidence 611(a) and 1006); *see United States v. Anekwu*, 695 F.3d 967, 981-82 (9th Cir. 2012) (affirming admission of summary chart into evidence).

4. **T-Mobile call centers each have their own management structure, with Experts organized into teams that are supervised by a Coach, and a collection of teams forming a Community that is directed by a Manager.** Anthony ¶3; Baker ¶2; Boyce ¶3; Bruner ¶¶3-5; Cavazos ¶4; Collins ¶2; Corley ¶3; Eaton ¶2; Elston ¶4; Gillespie ¶3; Guffey

¶¶2-4; Hampton ¶¶3-4; Henderson ¶3; Jackwin ¶3; Jensen ¶¶3-4; Kelly ¶3; McKeage ¶2;
McKenney ¶3; Rasmussen ¶¶3-4; Rice ¶¶3-4; Rodriguez ¶¶2-4; Smith ¶4; Stevenson ¶¶3-5;
Swint ¶¶3-4; Thomas, J. ¶3; Walters ¶¶2-3.

5. **Call center Managers and Coaches are responsible for working with Experts so that they perform effectively and comply with all T-Mobile policies.** Anthony ¶¶4-6; Baker ¶¶2-3; Boyce ¶¶3, 7; Bruner ¶¶5, 6; Cavazos ¶5; Chandnoit ¶4; Corley ¶¶4, 6; Elston ¶¶3, 5; Gillespie ¶¶3, 6; Guffey ¶¶5, 8-11; Hampton ¶¶3-4; Jackwin ¶3; Jensen ¶4; McKeage ¶¶4-5; Rasmussen ¶6; Rice ¶¶3-4; Rodriguez ¶¶2-4; Shanik ¶2; Smith ¶5; Stevenson ¶¶3-5; Swint ¶5; Thomas, J. ¶4; Walters ¶¶2-3.

6. **T-Mobile policies provide that Experts are paid for all time they work, are required to record all time they work, must review and approve their time reports, and are prohibited from working off the clock.** Anthony ¶5; Archibald ¶3; Baker ¶¶12-13; Boyce ¶5; Bruner ¶¶6, 8 (“T-Mobile is strict about ensuring employees understand the requirement that they are required to clock in before performing any work and that any off-the-clock work is prohibited.”); Cavazos ¶¶8-9; Chandnoit ¶3; Collins ¶12; Corley ¶¶5, 9; Edwards ¶3; Elston ¶6; Evans ¶3; Feliz ¶3; Gallant ¶3; Giles ¶¶4, 6; Griffith ¶3; Guffey ¶8; Harmon ¶¶3-4; Henderson ¶9; Ingram ¶3; Jackson ¶¶3, 8; Jackwin ¶7; James ¶3; Jenkins, L. ¶3; Jenkins, T. ¶3; Jensen ¶7; Kelly ¶¶10-11; King ¶4; Levesque ¶3; McKeage ¶¶4-5; McKenney ¶10; Minter ¶3; Moore ¶3; Nunez ¶3; Nunn ¶¶3-4; Perez ¶3; Pierce ¶3; Pressley ¶3; Rasmussen ¶¶7-9; Rice ¶¶5-8; Rogers ¶4; Roth ¶4; Sanborn ¶5, Ex. A at 18-20, Ex. B; Shanik ¶¶3-4; Smith ¶8; Stevenson ¶6; Stone ¶¶3-4; Swint ¶7; Walters ¶4; Watson ¶3; Wildridge ¶4; Young ¶3.

7. **T-Mobile policies provide that no one is authorized to ask, permit, or require an Expert to work any time that is not properly paid.** Anthony ¶5; Archibald ¶3; Baker ¶¶12-13; Boyce ¶¶5, 13; Bruner ¶¶6, 8; Cavazos ¶¶8-9; Collins ¶12; Corley ¶5; Eaton ¶7; Edwards ¶3 (“T-Mobile was (and is) insistent that we never do anything work-related if

1 we are off the clock”); Elston ¶6; Evans ¶3; Feliz ¶3; Giles ¶4; Griffith ¶3; Guffey ¶8;
2 Harmon ¶3; Henderson ¶9 (“training makes it very clear that you are not supposed to do any
3 work if you are not clocked in. Everybody that I know follows that policy.”); Ingram ¶3;
4 Jackson ¶¶3, 8; Jackwin ¶9; James ¶3; Jenkins, L. ¶3; Jenkins, T. ¶3; Jensen ¶7; Kelly ¶¶10-
5 11; King ¶4; Lawson ¶3; Levesque ¶3; McKeage ¶¶4-5; Minter ¶3; Moore ¶3; Nunez ¶3;
6 Nunn¶3; Perez ¶3; Pierce ¶3; Pressley ¶3; Rasmussen ¶7; Rice ¶5; Rodriguez ¶¶5-8; Rogers
7 ¶4; Sanborn ¶5, Ex. A at 18, Ex. B; Roth ¶4; Shanik ¶3; Smith ¶¶8-9; Stevenson ¶6; Stone
8 ¶¶3-4; Swint ¶¶7-8; Thomas, J. ¶5; Walters ¶¶4, 5; Watson ¶3; Wildridge ¶4; Young ¶3.

9 **8. Experts are provided with T-Mobile’s pay policies, acknowledge and are**
10 **aware of them, and are reminded about and trained on compliance with them.** Anthony
11 ¶5; Baker ¶¶5, 9; Boyce ¶4; Bruner ¶¶6, 10; Cavazos ¶¶8-10; Chandnoit ¶3; Collins ¶4;
12 Corley ¶¶5-6, 9; Eaton ¶¶7, 8; Edwards ¶3; Evans ¶¶3, 5 (“During training, we also heard the
13 consistent message that you need to make sure you clock in to get paid. It was made clear
14 that T-Mobile wanted you to get paid for your work.”); Feliz ¶¶4, 7; Fuentes ¶3; Gallant ¶¶3-
15 5; Giles ¶¶4, 6; Gillespie ¶¶4, 7; Griffith ¶¶3-4; Guffey ¶¶6, 8-11; Harmon ¶¶3-4; Henderson
16 ¶9; Ingram ¶3; Jackson ¶¶3, 8; Jackwin ¶9; James ¶3; Jenkins, L. ¶3; Jenkins, T. ¶3; Jensen
17 ¶7; Kelly ¶¶10-11; King ¶4; Lawson ¶3; Levesque ¶3; McKeage ¶¶4-5; Minter ¶3; Moore ¶3;
18 Nunez ¶4; Nunn ¶3; Perez ¶3; Pierce ¶3; Pressley ¶3; Rasmussen ¶¶7-9; Rice ¶5; Rodriguez
19 ¶8; Rogers ¶4; Roth ¶¶3-6; Sanborn ¶5, Exs. A, B; Shanik ¶¶3-4; Smith ¶¶8-9; Stevenson ¶6;
20 Stone ¶¶3-4; Swint ¶¶7-8; Walters ¶¶4, 5; Watson ¶3; Weaver ¶10; Wildridge ¶¶3-4; Young
21 ¶¶3, 6.

22 **9. Depending on the call center, Experts are allowed to punch in from 5 to 20**
23 **minutes before their scheduled shift start time.** Archibald ¶6 (5 minutes); Boyce ¶6 (“up
24 to 15 minutes early”); Bruner ¶10 (10 minutes); Cavazos ¶16 (5 minutes); Chandnoit ¶6 (5
25 minutes); Collins ¶¶6-7 (5 minutes); Edwards ¶7 (5 minutes); Evans ¶5 (10 minutes);
26 Fuentes ¶3 (5 minutes); Giles ¶9 (“T-Mobile permits us to clock in up to 10 minutes before

1 our scheduled shift time, which I like to take advantage of to make sure I am on the clock
2 and adequately prepared for the day.”); Guffey ¶¶11, 17 (5 minutes); Hampton ¶6 (5
3 minutes); Jackwin ¶8 (“15-20 minutes”); Jensen ¶6 (5 minutes); Levesque ¶4 (10 minutes);
4 McKeage ¶9 (10 minutes); McKenney ¶7 (5 minutes); Moore ¶6 (5 minutes); Nunez ¶5 (5
5 minutes); Rasmussen ¶9 (5 minutes); Rice ¶6 (5 minutes); Roth ¶7 (5 minutes); Stevenson ¶7
6 (5 minutes); Stone ¶6 (5 minutes); Wildridge ¶7 (5 minutes); Young ¶8 (5 minutes).

7 **10. Experts are expected and trained to clock into the Kronos timekeeping**
8 **system before they open other programs or engage in any work.** Anthony ¶10; Archibald
9 ¶¶3, 7; Baker ¶8; Boyce ¶¶8-9; Bruner ¶¶8, 10; Cavazos ¶10; Chandnoit ¶¶4, 6, 7; Collins
10 ¶6; Corley ¶¶9, 15 (“There is no particular sequence [of opening programs] that an employee
11 needs to follow, other than clocking into Kronos first.”); Edwards ¶¶3,8; Elston ¶6; Evans
12 ¶5; Feliz ¶3; Fuentes ¶5; Gallant ¶3, 5 (“Timekeeping is a major focus of the training. During
13 training, the trainers made a point to yell out to ‘clock in’ or ‘clock out’ to make sure we all
14 remembered to do that.”); Giles ¶4; Gillespie ¶¶4, 5; Griffith ¶6; Guffey ¶¶11,16; Hampton
15 ¶¶5-6; Harmon ¶¶3-4; Henderson ¶5; Ingram ¶¶3, 7-8; Jackwin ¶8; James ¶3; Jenkins, L. ¶3;
16 Jensen ¶12; Kelly ¶¶5-7; Lawson ¶5; Levesque ¶4; McKeage ¶¶7-9; McKenney ¶5; Minter
17 ¶3; Moore ¶3; Nunn ¶¶4-5; Perez ¶3; Pierce ¶3; Rasmussen ¶¶9-10; Rice ¶5; Rodriguez
18 ¶¶11, 15; Rogers ¶6; Roth ¶5; Shanik ¶5; Smith ¶16; Stone ¶¶4, 7; Swint ¶9; Walters ¶5;
19 Watson ¶3; Wildridge ¶¶4-5; Young ¶3.

20 **11. The Kronos timekeeping system allows employees to clock in by (a) hitting**
21 **a time punch, (b) manually entering their start time, or (c) using a mobile application**
22 **on their phone; and what method Experts use to clock in varies based on call center,**
23 **Community or team, and the particular Expert’s preference.** Anthony ¶¶11, 14-15;
24 Archibald ¶¶6, 12; Baker ¶¶6, 7, 11; Boyce ¶¶4, 9; Bruner ¶¶8, 10, 12-13; Cavazos ¶¶14-
25 15; Collins ¶¶3, 6, 11; Chandnoit ¶¶4, 6, 9, 11 (uses mobile app if “off-site, not in the
26 building, or cannot clock in for some other reason,” such as when “volunteering for Toys 4

1 Tots at the military base,” which time is paid, or if “pulled into a meeting last minute prior to
2 clocking in”; “I know some people that use the app all the time instead of the computer”);
3 11; Corley ¶¶10, 13, 14; Eaton ¶5; Edwards ¶8; Elston ¶9; Evans ¶5; Feliz ¶¶3, 5; Fuentes
4 ¶¶3, 5, 10; Giles ¶¶5, 9; Gillespie ¶5; Griffith ¶6; Guffey ¶¶13-15; Hampton ¶¶5, 7-8 (“I
5 encourage all experts to familiarize themselves with and use the mobile Kronos app”;
6 estimates 30-40% in her Community use it regularly); Harmon ¶8; Henderson ¶¶5, 7, 11;
7 Ingram ¶7; Jackson ¶4; Jackwin ¶¶5-6; James ¶¶7, 10; Jenkins, L. ¶¶3, 7; Jenkins, T. ¶5;
8 Kelly ¶¶9, 14 (“I manually enter all my time instead of pressing the time stamp button in
9 Kronos. I have always done that. I understand that all of my time has to be reported
10 accurately so I make sure to do that. Working off the clock is a big no-no for the company.”);
11 King ¶¶6, 10; Lawson ¶5; Levesque ¶¶3, 4); McKeage ¶¶4, 7; McKenney ¶5; Minter ¶¶3, 7;
12 Moore ¶¶6, 8; Nunez ¶¶4, 5; Nunn ¶¶4, 6; Perez ¶¶6-8; Pierce ¶6; Rasmussen ¶10; Rice ¶¶5,
13 6; Rodriguez ¶9; Rogers ¶¶6, 9; Shanik ¶5; Smith ¶13; Stevenson ¶¶7, 10; Stone ¶10; Swint
14 ¶¶14-15; Walters ¶5, 7; Watson ¶3; Weaver ¶¶3, 5, 9; Wildridge ¶6; Young ¶¶8-9,12-15.

15 12. **The time necessary to clock in on Kronos when Experts hit the time punch**
16 **varies depending on call center, computer age and speed, and the particular Expert,**
17 **but is typically a minute or less unless an Expert has to turn his or her computer on at**
18 **the start of the day.** Anthony ¶12 (“about 30 seconds”); Archibald ¶6 (“From the time I sit
19 down to log into the computer to the time I punch in on the Kronos application, it only takes
20 approximately 15-45 seconds—never more than a minute.”); Baker ¶11 (“quick”); Boyce ¶9
21 (“doesn’t take long” and “speed varies depending on the computer”); Bruner ¶12 (“less than
22 a minute”); Cavazos ¶12 (“30 to 40 seconds”); Chandnoit ¶6 (“less than a minute”); Collins
23 ¶6 (“up to 30 seconds”); Corley ¶11 (“very quick, like a minute or less”); Eaton ¶5 (“less
24 than a minute”); Edwards ¶8 (“very quick—approximately 30 seconds or so”); Elston ¶9
25 (“no more than a minute.”); Evans ¶5 (“minute or so to launch Chrome and clock in on
26 Kronos”); Feliz ¶5 (“about a minute”); Fuentes ¶5 (“no more than a minute”); Giles ¶9

1 (“about a minute”); Gillespie ¶5 (“about a minute”); Griffith ¶6 (“less than a minute”);
2 Guffey ¶13 (“less than a minute”); Harmon ¶8 (“less than half a minute”); Henderson ¶¶5
3 (“20-30 seconds”); Ingram ¶7 (“less than a minute”); Jackson ¶4 (“less than a minute”);
4 Jenkins, L. ¶4 (“20 seconds or so”); Jenkins, T. ¶5 (“a matter of seconds”); Jensen ¶12
5 (“probably takes less than minute”); Kelly ¶¶5-6 (“about 20 to 40 seconds”); King ¶4 (“20 or
6 30 seconds”); Lawson ¶5 (“less than a minute”); McKenney ¶5 (ME: “about 30 seconds”);
7 Minter ¶5 (“around 30 seconds”); Nunez ¶5 (“less than 30 seconds”); Pierce ¶6 (“does not
8 take anymore than 30 seconds”); Pressley ¶4 (“about a minute”); Rasmussen ¶12 (“roughly
9 30 seconds”); Rice ¶6 (“about 30 seconds”); Rodriguez ¶13 (“30 seconds or less”); Roth ¶9
10 (“15 to 30 seconds”); Shanik ¶5 (“20-40 seconds total”); Smith ¶¶11, 14 (“a minute or less”);
11 Stevenson ¶7 (“less than a minute”); Stone ¶7 (“less than a minute”); Swint ¶12 (“about a
12 minute”); Thomas, J. ¶5 (“no more than a minute”); Walters ¶5 (“less than a minute”);
13 Weaver ¶5 (“about 30 seconds”); Wildridge ¶5 (“30 seconds or less”); Young ¶14 (“about a
14 minute”).

15 13. **If an Expert has to turn his or her computer on at the start of the day, the**
16 **Expert takes longer to clock in because of the start-up time and because the computer**
17 **may need to process system updates.** Anthony ¶12 (“If an employee did not follow
18 instructions and turned the computer off the prior day, it could take a little longer, but this is
19 rarely an issue for my team because they leave their computers on.”); Archibald ¶6; Baker
20 ¶11; Eaton ¶6 (“If my computer was off (which was rare), it would take me a bit longer to
21 log in. However, if that was the case, I would enter my time manually to make sure it was
22 correct to when I actually started working.”); Edwards ¶8; Evans ¶4; Guffey ¶13; Jenkins, T.
23 ¶5; McKenney ¶4; Rodriguez ¶13; Smith ¶10; Swint ¶¶12, 14; Wildridge ¶5; Young ¶9.

24 14. **Experts are expected to leave their computers on at the end of their shift,**
25 **which allows program updates to be processed overnight and allows for quicker start-**
26 **up time.** Anthony ¶¶8-9, 12; Archibald ¶5 (“We are told to leave our computers on at the

1 end of each day so that any system updates can be performed at night.”); Baker ¶4 (“I used to
2 be a new hire trainer and that was one of the things we instructed new employees to do, i.e.,
3 restart the computers and not turn them off.”); Boyce ¶4; Bruner ¶11; Cavazos ¶11;
4 Chandnoit ¶6; Edwards ¶6; Elston ¶8 (tells Experts to log-out; sometimes walks around and
5 restarts them after the shift so computers will “function properly and allow them to quickly
6 punch in”); Evans ¶4; Gallant ¶7; Giles ¶9; Griffith ¶5; Guffey ¶12; Jackson ¶7; Jackwin ¶4;
7 James ¶6; Jenkins, L. ¶4; Jensen ¶11; McKenney ¶4; Rasmussen ¶11; Rodriguez ¶10; Roth
8 ¶8; Shanik ¶8; Smith ¶10; Stevenson ¶9; Stone ¶7; Thomas, J. ¶7; Walters ¶5; Wildridge ¶5;
9 Young ¶9.

10 15. **Virtually all Experts leave their computers on at the end of their shift,**
11 **with some logging out or restarting and others merely locking the computer.** Anthony
12 ¶8; Archibald ¶5; Baker ¶4; Boyce ¶4; Bruner ¶11; Cavazos ¶11; Chandnoit ¶6 (“I leave my
13 computer on at night (or restart it at the end of my shift), as instructed by my supervisor. We
14 are specifically told not to turn our computers off because updates might need to take place
15 overnight.”); Collins ¶6 (“I never shutdown my computer”); Corley ¶¶8, 11; Eaton ¶4;
16 Edwards ¶6; Elston ¶8; Evans ¶¶4, 9; Feliz ¶7; Fuentes ¶5 (“My computer is on when I start
17 my shift and I don’t turn it off when I leave for the day.”); Gallant ¶¶6, 7; Giles ¶9; Griffith
18 ¶¶5, 8; Guffey ¶12; Harmon ¶7; Henderson ¶4; Ingram ¶6 (“always leave my computer on”);
19 Jackson ¶7; Jackwin ¶4; James ¶6; Jenkins, L. ¶4; Jenkins, T. ¶8; Jensen ¶11; Kelly ¶5; King
20 ¶9; Lawson ¶5; McKeage ¶8; McKenney ¶4; Moore ¶6; Nunez ¶8; Nunn ¶5; Perez ¶6; Pierce
21 ¶6; Rasmussen ¶11; Rodriguez ¶10; Roth ¶8; Shanik ¶8; Smith ¶10; Stevenson ¶9; Stone ¶7;
22 Swint ¶11; Walters ¶5; Watson ¶6; Weaver ¶5; Wildridge ¶5; Young ¶9.

23 16. **The time necessary to clock in on Kronos when Experts use the mobile**
24 **app varies depending on particular Expert, but typically takes a minute or less and can**
25 **take only a few seconds.** Boyce ¶¶4, 9; Gallant ¶6 (“maybe 5-10 seconds”); Hampton ¶¶7,
26 10 (“only a couple of seconds”); James ¶7 (“20-30 seconds”); Kelly ¶9; McKeage ¶7;

McKenney ¶5; Nunn ¶¶4, 6 (“about 20 seconds”); Rogers ¶6, 8 (“about 30 seconds”); Shanik ¶5 (“a matter of seconds”); Wildridge ¶6; Young ¶8.

17. **If Experts encounter system issues or delays (including because their computer was off) or if a time entry is otherwise not accurate, Experts are expected to make manual adjustments to ensure that their time is accurately reported.** Anthony ¶14; Archibald ¶6 (ID: “If I have any delays with the computer system, I can input my start time manually in Kronos.”); Baker ¶¶7, 11; Boyce ¶¶8, 10; Bruner ¶¶8, 10, 13; Cavazos ¶14; Chandnoit ¶¶3, 9, 11; Collins ¶3 (“if I start working five minutes before I am actually able to clock in at the start of my shift, for whatever reason, I go into Kronos and manually enter my time to reflect starting five minutes earlier”); Corley ¶13; Eaton ¶¶5, 6, 12 (“If Kronos takes longer to load, I enter my time manually to reflect my correct start time.”); Edwards ¶8; Elston ¶9; Evans ¶5; Feliz ¶3; Fuentes ¶¶3, 10; Gallant ¶¶5, 8; Giles ¶5; Gillespie ¶¶6, 7; Griffith ¶9 (if “ever encounter any issues with clocking in, I just go back and edit my time after the fact to make sure it is accurate and there are no issues”); Guffey ¶¶10, 13, 15; Hampton ¶8; Harmon ¶¶8, 12; Henderson ¶11; Ingram ¶¶7, 11; Jackwin ¶5; James ¶12; Jenkins, L. ¶¶3, 7; Jenkins, T. ¶¶3, 5; Jensen ¶14; Kelly ¶6 (during “very rare occasions” when system updates delayed logging, “I just entered my time manually to reflect the actual time when I started working”); King ¶6 (“If my computer takes any longer to boot up, I simply jot down the time and manually enter my correct punch-in time in Kronos once I am able to log in to the computer.”); Lawson ¶5; Levesque ¶¶3, 4; McKeage ¶13; McKenney ¶¶4, 5; Minter ¶7; Moore ¶6; Nunez ¶4; Nunn ¶9; Perez ¶11; Pierce ¶6; Pressley ¶7; Rasmussen ¶¶10, 12; Rice ¶¶5, 6, 9; Rodriguez ¶¶9, 15; Rogers ¶¶11, 15; Roth ¶¶4, 13; Shanik ¶5; Smith ¶¶10, 13; Stevenson ¶¶6, 10; Stone ¶¶3, 10; Swint ¶14; Thomas, J. ¶5; Walters ¶7; Watson ¶¶7, 10, 11; Weaver ¶9; Wildridge ¶6 (“If my computer takes a long time booting up for some reason, I simply adjust my start time manually to the time that I attempted to log in”); Young ¶15.

1 18. **Managers and Coaches work with Experts to teach them how and when to**
2 **make manual adjustments and generally accept manual entries or corrections that**
3 **Experts make in the Kronos system.** Anthony ¶14; Baker ¶7; Boyce ¶8; Bruner ¶¶8, 13;
4 Cavazos ¶14; Chandnoit ¶3; Collins ¶3; Corley ¶13; Eaton ¶12 (“There are no issues with me
5 entering or changing my time entries when needed.”); Elston ¶¶9, 10; Evans ¶¶4-5; Feliz ¶3;
6 Gallant ¶¶5, 8 (“There have been a few times when I’ve experienced a delay in opening
7 Kronos to clock in in the morning. When that has happened, I have either gone to my Coach
8 and she has been able to pull up Kronos and clock me in or I have just manually entered my
9 clock in time at the end of the day.”); Gillespie ¶¶6, 7 (“Any time a time punch is inaccurate,
10 even if only off by a minute, I tell the Expert to adjust the punch manually. Experts can
11 always manually adjust the time punch themselves through the Kronos system or ask me to
12 do it for them, which I am always happy to do. I do not recall the last specific time, but
13 maybe once a month, an Expert will ask me to manually adjust a time punch because it took
14 too long for the Expert’s computer to load, and I make the adjustment. I do not even bat an
15 eye at these requests, even if the Expert just asks me to change the time by a minute.”);
16 Griffith ¶¶7, 9; Guffey ¶¶10, 13, 15; Harmon ¶12; Jackwin ¶5; James ¶12; Jenkins, L. ¶¶3, 7;
17 Jenkins, T. ¶3; Jensen ¶14; Lawson ¶9; McKenney ¶¶4, 5; Minter ¶¶3, 7; Moore ¶10; Perez
18 ¶11; Pierce ¶10; Rasmussen ¶¶10, 11; Rice ¶¶5, 6, 9; Rodriguez ¶¶9, 15; Rogers ¶¶11, 15;
19 Roth ¶¶4, 13; Shanik ¶5; Smith ¶¶10, 13; Stevenson ¶¶6, 10; Swint ¶14; Thomas, J. ¶5;
20 Walters ¶¶7-8; Watson ¶11; Weaver ¶9; Young ¶15.

21 19. **Experts use other programs in their work, but there is no reason to open**
22 **those programs before they clock in.** Anthony ¶¶17-18 (“Employees are expected to load
23 those programs, or any other program, only after they have clocked in using Kronos at the
24 start of their shifts or after returning from their lunch break, and there is no practical reason
25 for them to do otherwise.”); Baker ¶8; Boyce ¶9; Bruner ¶¶8, 14; Cavazos ¶¶16-
26 17; Chandnoit ¶7; Corley ¶¶15, 16, 17; Elston ¶11 (“I have always observed Experts on my

1 team pulling their programs up after punching in, and I am unaware of why an expert would
2 do it any other way.”); Evans ¶¶6, 8 (“Some of the programs take a little bit of time to load,
3 but all of this is done while I’m on-the-clock.”); Fuentes ¶7 (“Sometimes Quickview...will
4 timeout during my lunch, but I log back into Quickview only after logging on to Kronos and
5 clocking in. Moreover, it only takes about 10 seconds to log back on to Quickview.”);
6 Gillespie ¶5 (“I have never observed an Expert on my team pulling up any other programs on
7 the computer before punching in through Kronos....There is no reason for an Expert to pull
8 up any other programs before punching in through Kronos.”); Griffith ¶6; Guffey ¶18;
9 Jensen ¶¶15-16; Lawson ¶5; Levesque ¶4; Moore ¶3; Rodriguez ¶17; Rogers ¶7; Smith ¶¶16,
10 18; Swint ¶18; Thomas, J. ¶5; Walters ¶9.

11 20. **After they clock in at the start of their shift, Experts do not immediately**
12 **start to take inbound calls; instead, they have a designated amount of STREAD time**
13 **(ranging from 7 to 10 minutes) during which they can review emails and notices, open**
14 **programs, and engage in other activities.** Anthony ¶17 (10 minutes); Archibald ¶¶6, 7;
15 Baker ¶10 (use 10 minutes STREAD time to “review updated policies, check email, load
16 other programs, and prepare for the business day.... Managers are instructed not to interrupt
17 employees during STREAD time, including that we cannot have meetings or coaching
18 sessions during that time. All hourly employees at the call center are required to use
19 STREAD time.”); Boyce ¶7 (10 minutes); Bruner ¶14 (10 minutes); Cavazos ¶16 (10
20 minutes); Chandnoit ¶¶7, 8 (10 minutes); Collins ¶7 (“After all my programs are loaded, I
21 usually still have about two more minutes before I can start my STREAD time at 6:50 a.m.,
22 so I rearrange my desk or just wait until I can officially start STREAD time”); Corley ¶16
23 (10 minutes, thus “employees need not be in any rush to get ready to receive customer
24 inquiries immediately after clocking in on Kronos for the start of their shifts”); Edwards ¶9;
25 Elston ¶11 (“I have verbally counseled Experts who took less than 10 minutes of STREAD
26 time to always take their full 10 minutes.”); Evans ¶7 (10 minutes); Feliz ¶6 (10 minutes);

1 Fuentes ¶6 (10 minutes); Gallant ¶6 (10 minutes); Giles ¶10 (10 minutes STREAD time;
2 “generally punched in for 10-20 minutes before customer calls begin”); Gillespie ¶5 (10
3 minutes); Griffith ¶6; Guffey ¶17 (10 minutes); Hampton ¶9 (10 minutes); Henderson ¶8 (10
4 minutes); Harmon ¶9 (10 minutes); Ingram ¶¶8-10 (10 minutes; “might not get my first call
5 until up to ten minutes after I switch to ‘available’”); Jackson ¶5 (10 minutes); James ¶8 (10
6 minutes); Jenkins, L. ¶5 (10 minutes); Jenkins, T. ¶5 (10 minutes; can use the time to “get
7 some coffee, talk to my coworkers, and eat a quick breakfast”); Jensen ¶15 (can “be used for
8 anything they need to do to get ready to take calls, including getting coffee”); Kelly ¶7 (10
9 minutes); King ¶7 (10 minutes); Lawson ¶5 (10 minutes); Levesque ¶4 (10 minutes);
10 McKeage ¶10 (10 minutes); McKenney ¶¶6, 9; Moore ¶7 (10 minutes); Minter ¶6; Nunez ¶6
11 (10 minutes); Nunn ¶7 (10 minutes); Perez ¶8 (10 minutes); Pierce ¶7; Pressley ¶5 (7
12 minutes; “I can pull up my systems pretty quickly, so I often use STREAD time to grab a
13 coffee or water and say good morning to my coworkers.”); Rasmussen ¶11 (10 minutes);
14 Rice ¶7 (10 minutes); Rodriguez ¶16 (10 minutes); Rogers ¶7 (10 minutes); Roth ¶10;
15 Shanik ¶6 (10 minutes; “I like to get a cup of tea and do some vocal warm-up exercises”);
16 Smith ¶17 (7 or 9 minutes); Stevenson ¶8 (10 minutes); Stone ¶8 (10 minutes; “use it for all
17 types of things”); Swint ¶17 (10 minutes); Thomas, J. ¶5 (10 minutes); Walters ¶6 (10
18 minutes); Watson ¶8; Weaver ¶6; Wildridge ¶7; Young ¶11.

19 21. **When leaving for lunch, Experts clock out of Kronos and lock their**
20 **computers, but do not log off.** Anthony ¶13; Archibald ¶9; Bruner ¶12; Boyce ¶10;
21 Cavazos ¶13; Chandnoit ¶10; Collins ¶8; Eaton ¶9; Edwards ¶10; Evans ¶8; Fuentes ¶7;
22 Gallant ¶6 (“clock myself out, and then lock my computer. I leave my programs open.”);
23 Giles ¶11; Griffith ¶8; Harmon ¶10; Henderson ¶10; Ingram ¶9; James ¶9; Jensen ¶13;
24 Lawson ¶7; McKeage ¶12; Moore ¶8; Perez ¶9; Pierce ¶8; Rice ¶8; Rodriguez ¶14; Smith
25 ¶12; Stone ¶9; Walters ¶9; Watson ¶9; Weaver ¶7; Wildridge ¶8; Young ¶12.

1 22. **Experts take their full meal period and perform no work.** Archibald ¶8;
2 Bruner ¶9; Collins ¶¶8, 10; Eaton ¶¶3, 7, 9 (“...supervisors have never interrupted my meal
3 break. I do remember having to restart my meal break because it was interrupted due to a
4 tornado warning. The company was fine with me restarting my meal break after the tornado
5 warning passed.”); Edwards ¶4; Elston ¶10; Evans ¶8; Feliz ¶7 (“Our trainers were clear that
6 we should not work during breaks or lunches, and I don’t.”); Fuentes ¶7 (“I then take my full
7 45-minute lunch.”); Gallant ¶5; Gillespie ¶8 (“Experts on my team usually leave the work
8 area for lunch and come back just as their shifts are set to begin again.”); Griffith ¶8; Guffey
9 ¶¶10, 14; Hampton ¶10; Harmon ¶10; Henderson ¶10; Jenkins, T. ¶7; Jensen ¶8; Kelly ¶13;
10 Lawson ¶7; McKenney ¶8; Nunez ¶7; Rodriguez ¶6; Roth ¶5; Stevenson ¶8; Thomas, J. ¶6;
11 Weaver ¶7; Young ¶12.

12 23. **When returning from lunch, Experts unlock their computers, log in to**
13 **Kronos, and clock in before doing anything else.** Anthony ¶¶13, 16; Archibald ¶9; Baker
14 ¶11; Boyce ¶¶8, 10; Bruner ¶10; Cavazos ¶13; Chandnoit ¶¶4, 10; Collins ¶8; Corley ¶6;
15 Eaton ¶9; Edwards ¶10; Evans ¶8; Feliz ¶7; Fuentes ¶7 (“When I come back, I quickly
16 unlock my computer and log back into Kronos and then Avaya before taking calls.”); Gallant
17 ¶6; Giles ¶11; Gillespie ¶8; Griffith ¶8; Guffey ¶14; Harmon ¶10; Henderson ¶10; Ingram
18 ¶9; Jackwin ¶8; James ¶9; Jensen ¶¶12-13, 16; Kelly ¶13; Lawson ¶7; McKeage ¶12;
19 McKenney ¶8; Moore ¶8; Perez ¶9; Pierce ¶3; Rasmussen ¶9; Rice ¶8; Rodriguez ¶11; Smith
20 ¶12; Stone ¶9; Swint ¶9; Walters ¶9; Watson ¶9; Weaver ¶7; Young ¶12.

21 24. **The time necessary to clock in at the end of lunch when Experts hit the**
22 **time punch in Kronos varies depending on call center, computer age and speed, and the**
23 **particular Expert, but typically takes a minute or less and often less than 30 seconds.**
24 Anthony ¶13; Archibald ¶9 (“no more than 20 seconds”); Baker ¶11 (“less than a minute”
25 after lunch); Boyce ¶10; Bruner ¶12 (“less than 20 seconds”); Cavazos ¶13; Chandnoit ¶10;
26 Collins ¶8 (“at most 15 to 20 seconds”); Corley ¶¶11, 12); Eaton ¶9 (“about 10 seconds”);

1 Edwards ¶10 (“less than 30 seconds”); Evans ¶8; Feliz ¶7 (“about 30 seconds”); Fuentes ¶7
2 (“about 30 seconds”); Giles ¶11; Gillespie ¶8 (“less than a minute”); Griffith ¶8 (“under 10
3 seconds”); Guffey ¶14 (“less than 15 seconds”); Hampton ¶10; Harmon ¶10; Henderson ¶10
4 (“10-15 seconds”); Ingram ¶9 (“fewer than 30 seconds”); Jackson ¶6 (“less than a minute”);
5 Jackwin ¶8; James ¶9 (“about 45 seconds”); Jenkins, L. ¶6 (“takes no time at all - it’s a
6 matter of seconds”); Jenkins, T. ¶7 (“only takes seconds”); Jensen ¶13 (“10 seconds or so”);
7 Kelly ¶13 (“about 10 to 15 seconds”); King ¶8 (“20-30 seconds”); Lawson ¶7 (“about 30
8 seconds”); McKenney ¶8 (“well less than a minute”); Minter ¶6 (“almost no time at all”);
9 Nunez ¶7 (“about 30 seconds”); Perez ¶9 (“less than a minute”); Pierce ¶8 (“about 20
10 seconds”); Pressley ¶6 (“about 30 seconds”); Rasmussen ¶12 (“between 15 and 30
11 seconds”); Rice ¶8 (“about 15-20 seconds”); Rodriguez ¶14 (“takes no time at all, maybe 15
12 seconds”); Roth ¶11 (“about five seconds total”); Shanik ¶7 (“about 20 seconds”); Smith ¶12
13 (“under 5 seconds” if Kronos program is open; “about 20 seconds” if reopening Kronos);
14 Stevenson ¶8 (“less than a minute”); Stone ¶9 (“takes only a few seconds”); Swint ¶13
15 (“about 15-20 seconds”); Thomas, J. ¶6 (“a minute or less”); Walters ¶9 (“well less than a
16 minute”); Watson ¶9 (“well under a minute”); Weaver ¶7 (“about 30 seconds”); Wildridge
17 ¶8 (“about five seconds”).

18 25. **Experts review their time entries each pay period (or more frequently) to**
19 **ensure that all time entries are accurate and to correct any entries that are not.** Anthony
20 ¶6; Archibald ¶11; Baker ¶¶7, 14; Boyce ¶11; Bruner ¶13; Chandnoit ¶¶4, 11 (“At the end of
21 the week, I double check everything just in case I missed something.”); Collins ¶12 (“...I
22 know that my time is entered correctly because I verify my time every day. That is
23 particularly true because I take leaves of absence, so I am very conscience [sic] about my
24 time entries and making sure they are accurate.”); Eaton ¶12; Edwards ¶8; Evans ¶10 (“I
25 review my time entries for accuracy and approve my time at the end of each pay period.”);
26 Feliz ¶8; Fuentes ¶¶9, 10 (“I review my time entries daily and at the end of the pay period to

1 make sure the entries are correct.”); Gallant ¶¶3, 9 (“I review my time to make sure it is
2 accurate and approve it.”); Giles ¶5; Gillespie ¶6; Griffith ¶¶9-10; Guffey ¶10; Harmon ¶12;
3 Henderson ¶11; Ingram ¶11; Jackson ¶8; James ¶12; Jenkins, L. ¶9; Jenkins, T. ¶9; Kelly
4 ¶15; King ¶10; Lawson ¶9; Levesque ¶5; McKeage ¶15; McKenney ¶6; Moore ¶10; Nunez
5 ¶¶9-10; Nunn ¶9; Perez ¶11; Pierce ¶10; Pressley ¶7; Rasmussen ¶8; Rodriguez ¶9; Rogers
6 ¶14; Roth ¶¶13-14; Shanik ¶10; Stone ¶11; Walters ¶8; Watson ¶11; Weaver ¶9; Young ¶15.

7 **26. Experts review their earnings statements when they are paid each pay**
8 **period and ensure that they are fully paid all amounts they are due.** Archibald ¶10 (“I
9 am paid for every minute I work”); Chandnoit ¶¶4, 13; Collins ¶12; Eaton ¶¶10, 11; Edwards
10 ¶¶8, 11, 12 (“I check my pay carefully and have always been paid the full amount I am
11 due.”); Evans ¶¶11, 12, 13 (“paycheck shows Overtime and any Overtime Recalc
12 adjustments and notes to the penny how much I have made in overtime that pay period”);
13 Feliz ¶8; Fuentes ¶¶8, 10-11; Gallant ¶12 (“I have never found any errors in my paycheck”;
14 can see pay breakdown of regular, overtime, time worked, and other line items); Giles ¶12;
15 Gillespie ¶9 (“I was properly paid for all overtime and other work that I did as an hourly
16 employee; I never had any issues with the accuracy of my paychecks.”); Griffith ¶¶11, 13;
17 Harmon ¶13; Henderson ¶12; Ingram ¶12; Jackson ¶9; James ¶13; Jenkins, L. ¶9; Jenkins, T.
18 ¶9; Jensen ¶17; Kelly ¶17; King ¶10; Lawson ¶12; Levesque ¶¶6, 7; McKeage ¶16; Minter
19 ¶8; Moore ¶11; Nunez ¶11; Perez ¶12; Pierce ¶11; Rogers ¶16; Roth ¶15; Shanik ¶11; Stone
20 ¶12; Watson ¶12; Wildridge ¶¶9-10; Young ¶16.

21 **27. No one asks, encourages, or permits Experts to work any time that is not**
22 **counted and compensated by T-Mobile.** Anthony ¶6; Archibald ¶¶8, 10; Baker ¶13; Boyce
23 ¶13; Bruner ¶¶8, 9, 13; Cavazos ¶9; Chandnoit ¶¶4, 11, 12; Collins ¶10; Corley ¶¶5-6, 9, 13;
24 Edwards ¶¶3, 4, 9, 11 (“They have a culture of making sure people are on the clock and
25 getting paid. ... I am paid for every minute that I work, and I am not aware of any supervisor
26 or manager who has told me or any other employee to work time off the clock.”); Elston ¶¶6,

9; Evans ¶¶10, 13 (“No one at T-Mobile has ever told me to work unpaid time or not report my time accurately.”); Feliz ¶3; Fuentes ¶¶9, 12 (“No supervisor has ever asked me to work off-the-clock. If anything, they always ask me if I am on the clock before they ask me to do anything.”); Gallant ¶5 (“My Coach and Team Manager have never told me to work unpaid time or asked me to do work while I wasn’t clocked in....If anything, I see people clocking in and not starting to work yet, not the other way around.”); Giles ¶12; Gillespie ¶4; Griffith ¶3; Guffey ¶¶9-10; Harmon ¶11; Henderson ¶9; Ingram ¶10; Jackson ¶8; James ¶11; Jenkins, L. ¶8; Jenkins, T. ¶8; Kelly ¶14; Lawson ¶¶10, 14; McKeage ¶19; McKenney ¶8; Minter ¶7; Moore ¶9; Perez ¶10; Pierce ¶9; Rasmussen ¶9; Rice ¶5; Rodriguez ¶¶6-8, 11, 15; Rogers ¶13; Roth ¶¶4-6; Smith ¶9; Stevenson ¶8; Swint ¶8; Walters ¶¶4,5; Watson ¶10; Weaver ¶10; Wildridge ¶4, 7, 9; Young ¶3.

28. **Managers and Coaches work diligently to make sure that Experts accurately report their time and are paid for every minute that they work.** Anthony ¶¶6, 14; Archibald ¶¶8, 10; Bruner ¶¶8-9, 13; Boyce ¶¶11-13; Cavazos ¶9; Chandnoit ¶¶4 (“Everyone at T-Mobile, the coaches and managers, are adamant that all of my time is accurate.”), 11 (“My supervisor will then also double-check at the end of the pay period to make sure I am getting paid for all the time I work.”); Collins ¶4; Corley ¶¶6, 9, 13 (“I remind my team daily to keep their Kronos records accurate. Towards the end of the pay period, I also remind them to carefully review their timesheets and to make any corrections necessary to capture all time worked.”); Elston ¶¶3, 6, 7, 9 (“I regularly remind experts that they should be reviewing the accuracy of their time punches every day.”); Evans ¶10; Feliz ¶¶2, 3 (“I was looking for an employer that would pay me fairly for all of the time that I worked. My experience with T-Mobile has met these expectations I have never worked for an employer as focused on compensating its employees accurately as T-Mobile.”); Gallant ¶¶5, 8; Giles ¶13; Gillespie ¶¶4, 6, 7; Guffey ¶¶9, 15; Hampton ¶4; Harmon ¶¶4, 12; Henderson ¶12; Jackson ¶8; Jackwin ¶10; James ¶12; Jenkins, L. ¶9; Jensen ¶17; Kelly ¶15;

1 Lawson ¶9; Levesque ¶3; McKenney ¶¶6, 9; Minter ¶7; Nunez ¶¶9-10; Perez ¶11;
2 Rasmussen ¶8; Rice ¶¶5, 6; Rodriguez ¶¶6-9, 11, 15; Roth ¶¶4-6; Smith ¶9; Stone ¶4; Swint
3 ¶19; Walters ¶3; Watson ¶11; Young ¶¶6, 15.

4 29. **T-Mobile provides Experts with the opportunity to earn additional**
5 **amounts in bonuses and commissions, which are typically measured over one month**
6 **and then paid in the next month.** Archibald ¶13; Chandnoit ¶13; Collins ¶9; Eaton ¶11;
7 Edwards ¶12; Evans ¶11; Feliz ¶9; Gallant ¶11; Giles ¶14; Griffith ¶12;; Henderson ¶13;
8 Ingram ¶12; James ¶13; Jenkins, T. ¶11; Kelly ¶17; King ¶12; Lawson ¶13; Levesque ¶6;
9 McKeage ¶18; McKenney ¶12; Minter ¶8; Nunn ¶10; Perez ¶12; Pressley ¶9; Rogers ¶5;
10 Roth ¶15; Shanik ¶12; Stone ¶12; Watson ¶12; Weaver ¶11; Wildridge ¶9; Young ¶18.

11 30. Attached hereto as **Exhibit 62** is a true and correct copy of the Order Granting
12 Motion for Protective Order (Document No. 235) in *Morden ,et al., v. T-Mobile USA, Inc.*
13 (Case No. 2:05-cv-02112-RAJ) in the United States District Court for the Western District of
14 Washington.

15
16 I declare under penalty of perjury that the foregoing is true and correct.

17 DATED this 24th day of June 2019, at Seattle, Washington.

18
19 s/ Patrick M. Madden
Patrick M. Madden, WSBA #21356
Counsel for Defendant T-Mobile USA, Inc.

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